

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION
No. 5:24-CV-00578-M

VIRGINIA WASSERBERG, NORTH
CAROLINA REPUBLICAN PARTY,
and REPUBLICAN NATIONAL
COMMITTEE,

Plaintiffs,

v.

NORTH CAROLINA STATE BOARD
OF ELECTIONS, et al.,

Defendants,

and

NORTH CAROLINA ALLIANCE FOR
RETIRED AMERICANS,

Intervenor-Defendant.

**JOINT MOTION FOR
EXTENSION OF TIME
TO
CONDUCT RULE 26(F) MEETING**

Pursuant to Fed. R. Civ. P. 6(b) and Local Civil Rule 6.1(a), the parties jointly move the Court to enter an Order extending the time within which they may conduct their Fed. R. Civ. P. 26(f) meeting such that they must conduct the meeting no later than 21 days after the Court enters an Order ruling on Defendants' Motion to Dismiss (D.E. 21). In support of this motion, the parties show the Court the following:

1. Plaintiffs filed this action on September 3, 2024, in the North Carolina General Court of Justice, Superior Court Division, Wake County. (D.E. 1-3.)
2. On October 9, Defendants removed this action to this Court. (D.E. 1.)
3. On October 16, Defendants filed and served Defendants' Motion to

Dismiss Plaintiffs' Complaint (the "Motion to Dismiss"). (D.E. 21.)

4. On October 31, the Clerk of Court entered an Order for Discovery Plan, directing the parties to conduct a Rule 26(f) meeting by November 30 and to submit a discovery plan to the Court within 14 days of the meeting. (D.E. 39.)

5. On November 20, Plaintiffs filed and served Plaintiffs' Response to Defendants' Motion to Dismiss. (D.E. 42.)

6. On November 25, counsel for all parties participated in a telephone conference concerning the status of the case and the relief requested in this motion.

7. A ruling on Defendants' Motion to Dismiss might narrow the scope of discovery or eliminate the need for discovery altogether.

8. The parties respectfully request that, in light of such a possibility, they not be required at this time to spend time and resources discussing in detail discovery that might not be needed and then preparing and submitting a plan for such discovery.

9. No party has previously asked for an extension of the deadline to complete the Rule 26(f) meeting and the Court has not otherwise extended the deadline for doing so.

10. Consequently, there is good cause to extend the deadline for the parties to conduct the Rule 26(f) meeting such that they must conduct the meeting no later than 21 days after the Court enters an Order on the Motion to Dismiss.

11. The parties respectfully attach a proposed Order granting this motion and have separately e-mailed the Order to Chief Judge Myers' Chambers pursuant

to his Practice Preferences and Procedures.

WHEREFORE, the parties jointly request that the Court:

A. Grant this motion; and

B. Order that if the Court denies Defendants' Motion to Dismiss in whole or in part, then the parties shall conduct their Rule 26(f) meeting no later than 21 days after the Court so rules, and if the Court grants Defendants' Motion to Dismiss in its entirety, then the parties shall not be required to conduct a Rule 26(f) meeting.

Respectfully submitted, this the 27th day of November 2024.

/s/ Thomas G. Hooper

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CERTIFICATE OF SERVICE

I hereby certify that on this day, I electronically filed the foregoing document with the Clerk of Court using the CM/ECF system, which will send electronic notification of the filing to all counsel who have filed notices of appearance in this case.

This, the 27th day of November 2024.

/s/ Thomas G. Hooper
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